



Austin City Council MINUTES

REGULAR CALLED MEETING
APRIL 27, 1995
CITY COUNCIL CHAMBERS

Mayor Todd called to order the meeting of the Council, Councilmember Goodman temporarily absent and Councilmember Shea absent.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of April 20, 1995 and Special Meetings of April 19 & 20, 1995
Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Goodman temporarily absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Roger Baker, to discuss matters arising.
3. Mr. Mohammad Kamali, to discuss BQ, wine and beer retailers off premise permit.
4. Mrs. Nasrin Momhaini, to discuss BQ, wine and beer retailers off premise permit.
5. Mr. Richard Troxell, promote a comprehensive drug and alcohol detoxification/treatment job training/job placement program for homeless individuals.
6. Mr. Ricky Bird, to discuss property RTS.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

Aviation (Items 7-8)

7. Approve continuation of the Professional Services Agreement with PAGE SOUTHERLAND PAGE, Austin, Texas, for the completion of plans and specifications, bid phase and construction phase services for the Passenger Terminal Facility for Austin-Bergstrom International Airport, in an amount not to exceed \$4,000,000, for a total contract amount of \$9,500,000. (Funding was included in the 1994-95 Capital Budget for the Aviation Department.) [Reviewed by Airport Advisory Board]
Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

8. Approve a construction contract award to AUSTIN BRIDGE & ROAD, Austin, Texas, for construction of the East Terminal Apron, Remaining Overnight Pad, Taxiway R and International Arrivals Apron at Robert Mueller Municipal Airport, in the amount of \$505,174.25. (Funding was included in the 1994-95 Capital Budget of the Department of Aviation.) Low bid of two (2). 24.66% MBE, 5.36% WBE Subcontractor participation. [Reviewed by Airport Advisory Board]
Move approval on item #8 with direction to the City Manager that no work related to the international arrivals apron commence prior to the next Council meeting, May 11th. In the event the Council disapproves the federal inspection service facility upon reconsideration, then staff, shall remove the work from the scope of the contract. Motion made by Councilmember Shea, Councilmember Goodman's second.
- Approved on Councilmember Reynolds' substitute motion, Mayor Todd's second, 4-3 vote, Mayor Pro Tem Nofziger and Councilmember's Shea and Goodman voting "NO".**
9. Approve execution of a contract with McMORRIS FORD, INC., Austin, Texas, for the purchase of three (3) mid-size utility trucks, in an amount not to exceed \$66,593. (Funding was included in the 1994-95 Capital Budget for the Environmental Conservation Services Department). Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 5-1-1 vote, Councilmember Reynolds abstaining, Councilmember Mitchell voting "NO".

ORDINANCES

10. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 336 E. Ben White Blvd., Case No. C14-94-0136, from "LI", Limited Industrial Services to "CS-1-CO", Commercial Liquor Sales-Conditional Overlay, SOUTHLAND EQUITIES, INC., (John C. Kuhn), by Kuhn, Doyle & Kuhn, P. C. (John C. Kuhn). First reading on February 23, 1995; Vote 7-0. Second reading on April 6, 1995; Vote 5-0, Mayor Todd absent and Councilmember Mitchell out the room. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. There is a valid petition filed by the applicant in opposition to the prohibition of Adult Oriented Business uses. Six (6) Council votes will be required to prohibit Adult Oriented Business uses.
Postponed indefinitely on Councilmember Goodman's motion, Councilmember Garcia's second, 7-0 vote.
11. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8307 Bagby Drive, Case No. C14-94-0133, from "MH", Mobile Home Residence to "LI-CO", Limited Industrial Services-Conditional Overlay, HIDDEN VALLEY LTD. (John V. Felter), by David Weiss/Rod Arrend. First reading on February 16, 1995; Vote 5-0, Mayor Pro Tem Nofziger and Councilmember Garcia absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.
Ordinance No. 950427-A approved
12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as Pecan Park and N. F.M. 620, Case No. C14-95-0005, from "SF-2", Single Family Residence (standard lot) & "CH", Commercial Highway to "GR", Community Commercial, TERRIVILLE, LTD. (Phillip B. Annis), by Eurotex (Andrew M. Ozona). First reading

on March 30, 1995; Vote 6-0, Councilmember Shea absent. Conditions met as follows: There are no conditions to be met.

Ordinance No. 950427-B approved

Items 11-12 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8400 E. U.S. Hwy. 290, Case No. C14-95-0009, from "DR", Development Reserve to "GR-CO", Community Commercial-Conditional Overlay, FIRST STATE BANK (Roger W. Weiland), by Dunagan, Weichert & Assoc. (Glenn Weichert). First reading on March 30, 1995; Vote 6-0, Councilmember Shea absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed.

Postponed to May 11, 1995

14. Approve first reading authorizing the sale of the Yellow Checker Cab Company, Inc. (dba Yellow Cab Company) taxicab franchise to Greater Austin Transportation Company (dba American Cab Company) and amending the Greater Austin Transportation Company (dba American Cab Company) taxicab franchise. (No fiscal impact). (Recommended by Urban Transportation Commission)

First reading approved on Councilmember Goodman's motion, Councilmember Garcia's second, 5-2 vote, Councilmember Shea and Councilmember Garcia voting "NO".

15. Approve third reading of an ordinance granting a franchise agreement between the City of Austin and MCI Metro Access Transmission Services, Inc. (Unanticipated revenue for 1994-95 is \$20,000.) (Recommended by the Committee for Telecommunications Infrastructure)

Ordinance No. 950427-C approved

16. Approve third reading of an ordinance granting a franchise to American Communications Services of Austin, Inc., to provide telecommunication services. (Unanticipated revenue in FY 1994-95 is \$10,000) (Recommended by the Committee for Telecommunications Infrastructure)

Ordinance No. 950427-D approved

17. Amend Ordinance No. 940912-D, the 1994-95 operating budget for the Library Special Revenue Fund, by authorizing acceptance of a \$5,000 increase in grant funds from the Texas State Library appropriating \$5,000 to the Library Special Revenue Fund to provide Interlibrary Loan Services, for a total grant of \$205,000. (Funding is provided by State and Federal grant funds.)

Ordinance No. 950427-E approved

18. Authorize acceptance of \$571,712 in grant funds from the Office of the Governor, Automobile Theft Prevention Authority for the Comprehensive Auto Theft and Suppression Project; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating \$571,712 in grant funds for the Health and Human Services Department Special Revenue Fund; authorize eleven (11) grant-funded Full-Time Equivalent (FTE) positions.

Ordinance No. 950427-F approved

19. Authorize acceptance of \$10,000 in grant funds from Public/Private Ventures, a 501(c) (3) nonprofit corporation; and amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating \$10,000 in grant funds for the Health and Human Services Special Revenue Fund, to participate in the Community Change for Youth Development (CCYD) planning initiative.
Ordinance No. 950427-G approved
20. Authorize acceptance of \$100,000 in grant funds from Travis County for the Summer Work Employment program; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating \$100,000 in grant funds for the Health and Human Services Department Special Revenue Fund. **(Related to Item 29)**
Ordinance No. 950427-H approved
21. Authorize acceptance of \$51,000 in additional grant funds from the Texas Department of Health, Bureau of Nutrition Services, for the Women, Infants, and Children (WIC) Nutrition grants; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating an additional \$51,000 in grant funds for the Health and Human Services Department's Special Revenue Fund, for a total grant amount of \$1,535,880.
Ordinance No. 950427-I approved
22. Authorize acceptance of \$51,290 in additional grant funds from the Center for Addiction and Substance Abuse, Inc., (CASA) for the Strategic Intervention for High Risk Youth demonstration program; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating an additional \$51,290 in grant funds for the Health and Human Services Department (HHSD) Special Revenue, for a total grant amount of \$140,890.
Ordinance No. 950427-J approved
23. Amend Sections 2-4-360 to 2-4-363 of the Code of the City of Austin to establish the Medical Assistance Program and Rural Medical Assistance Program Joint Advisory Board. (No fiscal impact.) [Recommended by Medical Assistance Program Advisory Board]
Ordinance No. 950427-K approved

Items 15-23 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

24. Approve the Fourth Amendment to the Agreement Concerning Creation and Operation of River Place Municipal Utility District incorporating revisions to the MUD land use plan and providing revisions to the erosion and sedimentation, water quality and impervious cover requirements. (No fiscal impact.) [Applicant requests emergency passage] (Recommended by Planning Commission) **[Related to Items 34 & 49]**
Ordinance No. 950427-Q approved on Councilmember Goodman's motion, Councilmember Mitchell's second, 7-0 vote.
Convention Center (Items 25-27)
25. Amend Ordinance No. 940912-D, the 1994-95 operating budget, by increasing the Austin Convention Center Department Revenue Fund budgeted revenue by \$260,131 and increasing budgeted expenses by \$260,131, for audio visual services. (Funding is available from increased

Convention Center revenue.)
Ordinance No. 950427-L approved

RESOLUTIONS

26. Approve a first amendment to the existing contract with AVW AUDIO VISUAL, INC., Austin, Texas, for audio-visual services for the Austin Convention Center, for additional estimated revenue in the amount of \$98,350 and additional estimated expenses in the amount of \$260,131 for 1994-95. (Funding is available in the amended 1994-95 Revenue Fund budget of the Austin Convention Center Department.)
Approved
27. Approve negotiation and execution of a three (3) year lease extension of the surface parking lot at East 4th Street and Red River Street from Harry Whittington, Trustee, to provide parking for the Austin Convention Center, at a monthly rental of \$5,500 for the first year and \$6,000 per month thereafter, for a total amount not to exceed \$210,000. [Funding in the amount of \$33,000 is available in the 1994-95 operating budget of the Austin Convention Center Department. Funding for the final thirty (30) months is contingent upon available funding in future budgets.]
Approved
28. Authorize application and acceptance of \$100,000 in grant funds from the Office of the Governor, Criminal Justice Division, for the Comprehensive Outreach Services Project which will provide outreach services to high risk youth in Northeast Austin neighborhoods. (The first year does not require a local match. In years two through five, grantees will receive 20% less each year. Future Council action is required for acceptance of these funds, therefore this action has no fiscal impact.)
Approved
29. Approve an Interlocal Agreement with Travis County for the City's participation in the Summer Youth Employment Program for a five (5) month period, from May 1, 1995 to September 30, 1995, in the amount of \$100,000. (Funding available from Travis County.) [Related to Item 20]
Approved
30. Amend the eligibility requirements for the Medical Assistance Program to establish eligibility criteria that is uniform with the County Rural Medical Assistance Program, effective July 1, 1995. (Estimated savings in FY 1994-95 is \$6,270)
Approved
31. Approve execution of an Interlocal Agreement with the Texas Department of Health, Austin, Texas, for the purchase of influenza vaccine, in an amount not to exceed \$51,173.25; and authorize the City Manager to enter into five (5) annual renewals in an amount not to exceed \$60,000 per renewal, for a six (6) year total not to exceed \$351,173.25. (Funding is available in the 1994-95 Disproportionate Share fund for the Health and Human Services Department. Funding for future years is contingent upon available funding in future budgets.)
Approved
32. Approve an Interlocal Agreement with Travis County for participation in the Comprehensive Auto Theft Prevention and Suppression Project for a six (6) month period, in an amount not to exceed

\$75,165, and authorize the City Manager to enter into renewals for four (4) twelve (12) month periods in an amount not to exceed \$200,000 per year. (Funding is available in the Health and Human Services Department Special Revenue Fund for the Office of the Governor, Automobile Theft Prevention Authority Grant. Renewals are contingent upon future grant funding.)

Approved

33. Approve an Interlocal Agreement with the Austin Independent School District for participation in the Comprehensive Auto Theft Prevention and Suppression Project for a six (6) month period, in an amount not to exceed \$68,500, and authorize the City Manager to enter into renewals for four (4) twelve (12) month periods. (Funding is available in the Health and Human Services Department Special Revenue Fund for the Office of the Governor, Automobile Theft Prevention Authority Grant. Renewals are contingent upon future grant funding.)

Approved

Items 25-33 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

34. Approve the first amendment to the traffic phasing agreement for the River Place MUD. (No fiscal impact.) [Recommended by Planning Commission and Urban Transportation Commission] (Related to Items 24 & 49)

Approved without bridge contingent upon County's approval on Councilmember Goodman's motion, Councilmember Mitchell's second, 7-0 vote.

35. Adopt general overall workforce diversity goals of 50% Female, 11% Black, 20% Hispanic, and 3% Asian. (No fiscal impact.)

Approved

36. Authorize negotiation and execution of Amendment #5 to the Professional Services Agreement with TURNER, COLLIE AND BRADEN, INC., Austin, Texas, for additional Phase II design engineering services for the Stassney Lane Improvements Project, in the amount of \$55,677.14, for a total amount of \$400,414.10. (Funding was included in the 1992-93 Capital budget of the Public Works and Transportation Department.) 24% MBE, 0% WBE Subconsultant participation.

Approved

37. Approve selection of four engineering firms: ALAN PLUMMER ASSOCIATES, INC., Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; GEBHARD SARMA GROUP, INC., Austin, Texas; RAYMOND CHAN & ASSOCIATES, INC., (MBE/MA), Austin, Texas, for negotiation and execution of four contracts to provide professional engineering services for the preliminary analysis and design of water and wastewater system improvements for Miscellaneous Water Line Rehabilitation Projects, in the amount of \$650,000. Best proposals of fifteen (15). (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Alan Plummer Associates, Inc.: 20% MBE, 5% WBE Subconsultant participation; Baker-Aicklen & Associates, Inc.: 10.5% MBE, 6% WBE Subconsultant participation; Gebhard Sarma Group, Inc.: 10% MBE, 5% WBE Subconsultant participation; Raymond Chan & Associates, Inc.: 10% MBE, 5% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

Approved

Items 35-37 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

38. Approve a construction contract award to BRH-GARVER, INC., Houston, Texas, for the construction of water and wastewater improvements to the Hilltop Acres Subdivision, bounded by Old Bee Caves Road, Travis Cook Road and Hwy 290/71, in the amount of \$1,149,722.45. (Funding in the amount of \$449,897.11 was included in the 1994-95 Capital budget of the Water and Wastewater Utility; \$699,825.34 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of ten (10). 13.06% MBE, 2.11% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
Approve award to Haegelin Construction Company, Austin, Texas, on Councilmember Mitchell's motion, Councilmember Goodman's second, withdrawn.

Postponed until May 11, 1995

39. Approve negotiation and execution of Interlocal Agreement with City of Sunset Valley setting out terms and conditions for Joint Use of easements acquired for the segment of the Sunset Valley Interceptor extending through Sunset Valley. (No fiscal impact.) [Recommended by Water and Wastewater Commission]
Approved
40. Approve execution of a contract with MAJOR COMPUTERS INTERNATIONAL, Burnsville, Minnesota, for the purchase of Mainframe Direct Access Storage Devices (DASD) consisting of a control unit, disk drivers, cables, shipping and Original Equipment Manufacture certification for maintenance and installation, in an amount not to exceed \$80,275. (Funding is available in the 1994-95 operating budget of the Information Systems Department.) Low bid of eleven (11) meeting specifications. No M/WBE Subcontracting opportunities were identified.
Approved
41. Approve execution of a twelve (12) month supply agreement with SUMMERS ELECTRIC, Austin, Texas, for the purchase of miscellaneous light bulbs for use by all City departments, in an amount not to exceed \$91,460.03 with two (2) twelve (12) month extension options in an amount not to exceed \$91,460.03 per extension, for a total amount not to exceed \$274,380.09. (Funding in the amount of \$38,108.35 is available in the 1994-95 operating budget of the user departments. Funding for the remaining seven (7) months is contingent upon available funding in future budgets.) Low bid of nine (9). No M/WBE Subcontracting opportunities were identified.
Approved
42. Approve the filing of eminent domain proceedings to acquire fee simple interest to a parcel of land containing 9,992 square feet of land, and improvements of 1,906 square feet of duplex out of Lot Nineteen (19), Block "B", Creek Bend, Section Two (2), a subdivision situated in Travis County, Texas, owned by Ben Collins and wife, Helen Collins, and Charles Volz, Jr., for the Creek Bend Flood Control Project, in the amount of \$61,000. (Funding was included in the 1994-95 Capital budget of the Drainage Utility Fund.)
Approved

Items 39-42 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0

vote.

43. Approve appointment of Board members of Brackenridge Imaging, Inc., pursuant to Bylaws of Brackenridge Imaging. (No fiscal impact.)
Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 6-0-1 vote, Councilmember Mitchell abstaining.
44. Approve the sale of a portion (1.225 acres) of Lot 28, Block A, Watson Park III, locally known as 16422 Parkway Drive to Windermere Utility Company, Inc., owners of the adjoining property, in the amount of \$3,100. (Funding is available in the 1994-95 operating budget of the Drainage Utility.)
Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

ITEMS FROM COUNCIL

45. Approve a grant from HOME Investment Partnership funds, in an amount not to exceed \$800,000, on such terms and conditions that benefit the City, to Anderson Community Development Corporation (ACDC), for the construction of up to 100 single family detached rental units in the defined boundaries of the Anderson Community Development Corporation. [Councilmember Eric Mitchell] (Recommended by Housing Subcommittee) [Related to Item 48]
Postponed until May 11, 1995 on Councilmember Shea's motion, Mayor Pro Tem Nofziger's second

Substitute motion to approve with change to \$1.2 million on Councilmember Mitchell's motion, Councilmember Reynolds' second

Substitute motion amended to approve \$800,000 today and other \$400,000 in two weeks by Councilmember Mitchell and agreed to by Councilmember Reynolds, 7-0 vote.

46. Approve the appointment of Jackie Goodman to the Juvenile Agency Coordinating Committee of the Community Justice Council. (Councilmember Gus Garcia and Mayor Bruce Todd)
Approved
47. Approve co-sponsorship of the National Association of Latino Elected/Appointed Officials (NALEO) Conference, to be held June 22-24, 1995. (Councilmembers Gus Garcia and Eric Mitchell, and Mayor Bruce Todd)
Approved

Items 46-47 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

Recess from 5:15 p.m. to 5:18 p.m. on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

3:30 P.M. - BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Item 48 is an AHFC item to be considered by the Austin Housing Finance Corporation's Board of Directors.

48. Approve a resolution authorizing execution of a six month option granting the Anderson Community Development Corporation (ACDC) the right to purchase certain parcels of land (approximately 34) in the SCIP 2 area currently owned by the Austin Housing Finance Corporation (AHFC), for the purpose of building 100 low income tax credit financed single family detached rental homes in the SCIP 2 area. (Anderson Community Development Corporation will acquire the other 66 parcels needed to complete the 100 units.) (No fiscal impact. All fees to be paid by developer.) **[Related to Item 45]**
Approved on Councilmember Mitchell's motion Councilmember Reynolds' second, 7-0 vote.

Adjourn Board of Directors' Meeting of Austin Housing Finance Corporation on Councilmember Mitchell's motion, Reynolds' second, 7-0 vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

49. 14-94-0167 - FIRST RIVER PLACE - Applicant requests emergency passage of ordinance. (John W. Gravenor), by Strasburger & Price (David Armbrust), River Place Boulevard and F.M. 2222. From MF-2, SF-5 & SF-2 to Tract 1: R&D & PDA; Tract 2: GR; Tract 3: GO; Tract 4: GR; and Tract 5: R&D & PDA. Planning Commission Recommendation: To Grant R&D-PDA, Research and Development-Planned Development Area, zoning for Tracts 1 and 5; GR-CO, Community Commercial-2. Conditional Overlay, zoning for Tracts 2 and 4; and GO-CO, General Office, zoning for Tract 3. The following floor-to-area ratio limitations are also recommended: 0.14 for Tracts 1, 3, and 5; 0.025 for Tract 2; and 0.10 for Tract 4. In addition, the property shall be subject to the requirements of the Consent Agreement Traffic Phasing Agreement. **(Related to Items 24 & 34)**
Ordinance No. 950427-R approved on Councilmember Goodman's motion, Councilmember Mitchell's second, 7-0 vote.
50. C14-95-0020 - SOUTHWEST CONSTRUCTION (Deeanne Barnett), by Charles E. Surman, 9493 E. U.S. Hwy. 290. From DR to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning limiting development to that which would generate less than 2,000 vehicle trips per day, and reservation of up to 150 feet of right-of-way from the existing centerline of U.S. Hwy. 290.
Ordinance 950427-M approved
51. C14-95-0028 - CITY OF AUSTIN-PUBLIC WORKS DEPT. (Steve Sun), Approximately 12500 block of Huntsville Drive. From SF-2, LI & RR to P. Planning Commission Recommendation: To Grant P-CO, Public District-Conditional Overlay, zoning with the provision of the overlay prohibiting access to Mustang Chase.
Ordinance 950427-N approved

52. C14-95-0030 - HOSPITAL CORPORATION OF AMERICA (Kent Ferguson), by Minter, Joseph & Thornhill (Ken Brown), Rear of 901 W. Ben White Blvd. and Approximately 4008 James Casey Street. From LO to GO. Planning Commission Recommendation: To Grant GO, General Office, zoning as requested.

Ordinance 950427-O approved

53. C14-95-0032 - PROPERTY TRUST OF AMERICA (Jay Jacobson), by Land Strategies, Inc. (Paul Linehan), Monterrey Oaks Blvd. and Staggerbrush Blvd. From LO-CO to MF-2. Planning Commission Recommendation: To Grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, zoning with the provision of the overlay to limit density to a maximum of 25 units per acre.

Ordinance 950427-P approved

Items 50-53 approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Shea out of room.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

54. 5:00 P.M. - Public hearing on recommendations of the Community Conservation Plan Working Group on the Balcones Canyonlands Conservation Plan (BCCP); consider adopting some or all of the Working Group's recommendations; authorize submittal of BCCP: "Shared Vision" to the United States Fish and Wildlife Service as part of the application process for a regional Section 10(a) permit under the Federal Endangered Species Act; authorize negotiation and execution of interlocal agreements and contracts to implement the Section 10(a) permit.

Public hearing not held. Postponed to May 4, 1995.

55. 5:30 P.M. - (a) Public hearing on location of a City Hall.

5:30 P.M.- (b) Public hearing on separating the city hall from other downtown initiatives; undertaking the necessary planning steps and community meetings required for the adoption of a downtown redevelopment project area (reinvestment zone) in order to establish a broad area for potential public/private projects and/or financing purposes; and the institution of the steps required for the formation of a non-profit development corporation for the implementation of downtown development activities; authorize negotiation of a Phase II scope of work with Keyser Marston for the contract for downtown consulting services, in an amount not to exceed \$100,000. (Funding is available in the 1994-95 operating budget of the Planning and Development Department.) (Recommended by Downtown Commission)

Public hearing not held. Postponed to May 4, 1995.

EXECUTIVE SESSION (No Public Discussion on These Items)

**Executive Session held from 6:25 p.m. until 8:17 p.m. on Items 56, 59, 60, 61, 63 and 64.
Executive Session on other items held on the morning of this date.**

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of

the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Pending/Contemplated Litigation - Section 551.071

- 56. Discuss F.M. Properties v. City of Austin; Cause No. 94-CA-647-J, in the United States District Court, Western District, Austin, Texas.
- 57. Discuss status of Marie Kershner, et al. v. City of Austin; in the United States District Court, Western District of Texas, Austin Division.
- 58. Discuss Phillip Gutierrez, et al. v. Mobil Oil Corporation, et al. (Tank Farm Case), Cause No. 92-04889.
- 59. Discuss Austin Black Contractors Association, Inc. v. City of Austin; Cause No. 94-50729, in the United States Court of Appeals for the Fifth Circuit.

Advice from Counsel - Section 551.071

- 60. Discuss possible amendments to Chapter 5-7 of the City Code.

Real Estate - Section 551.072

- 61. Discuss possible real estate transactions related to Brackenridge Hospital.

62. APPOINTMENTS

CHILD CARE COUNCIL - DANNY CASTRO, JOENE GRISSOM, RHONDA PAVAR, LINDA RUIZ,
GALE SPEAR, GLORIA CANTU

COMMISSION FOR WOMEN - ELVIA LOPEZ

COMMUNITY DEVELOPMENT COMMISSION - PHYLLIS WILSON, TERRELL HUNTER,
ROLANDO ORTIZ

MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD - CHRIS FABRE, BERT GARRETT

MINORITY AND WOMEN-OWNED BUSINESS PROCUREMENT ADVISORY COMMITTEE -
ANDY RAMIREZ

RESOURCE MANAGEMENT COMMISSION - MICHAEL LOFTON

URBAN FORESTRY - JOYCE BASCIANO

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote,
Councilmember Shea out of room.

ADDENDUM

EXECUTIVE SESSION (No Public Discussion on These Items) [continued]

Staff Briefing - Section 551.075

63. Staff briefing on Hospital contract issues. (City Council deliberation is not permitted under Section 551.075)

Real Estate - Section 551.072

64. Discuss real estate matters in connection with proposed City Hall.

CITY MANAGER REPORT

65. Opportunities for Youth Partnered Audit
Report not given.

ADJOURNED at 8:37 p.m.

Approved on this day the 18th day of May, 1995, on Mayor Pro Tem Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Shea off dais, Councilmember Garcia absent.